NPT/CONF.2015/PC.III/11

Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Distr.: General
28 April 2014

Original: English

Third session
New York, 28 April-9 May 2014

Implementation of article VI

Report submitted by the Islamic Republic of Iran

1. The present report is submitted in accordance with action 20 of the action plan on nuclear disarmament adopted at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and deals with measures that have been taken by the Islamic Republic of Iran to implement article VI of the Treaty; paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear disarmament and non-proliferation; the practical steps agreed to in the Final Document of the 2000 Review Conference; and the action plan on nuclear disarmament adopted at the 2010 Review Conference, taking into account the advisory opinion of the International Court of Justice of 8 July 1996.

2. The Islamic Republic of Iran believes that reporting, as envisaged in actions 5 and 20 of the action plan, provides an essential element to ascertain the status of implementation of obligations assumed under article VI of the Treaty. The Islamic Republic of Iran holds the view that the objectivity of our analysis on the progress towards the goal of nuclear disarmament would be best served through the adoption of a format that properly defines the categories of information required within the review process.

3. One of the important elements of action 20 that needs to be taken into account in reporting is the advisory opinion of 8 July 1996 of the International Court of Justice. As the Court stipulated in that advisory opinion, the threat or use of nuclear weapons would generally be contrary to the rules of international law, and there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. The Islamic Republic of Iran emphasizes the importance and validity of the advisory opinion as a universal disarmament obligation of States parties to the Treaty and, accordingly, believes that, while reporting on the implementation of article VI of the Treaty is important, it shall not substitute for the fulfilment of the obligation for nuclear disarmament under article VI. It is disappointing that, more than four decades after the entry into force of the Treaty, the obligations under article VI have yet to be fulfilled. More than 60 years after the tragedies of Hiroshima and Nagasaki, the long-lasting threat to human survival from

14-31270 (E) 300414

Please recycle

nuclear weapons continues to be the greatest one to humanity. The international community is gravely concerned about the lack of progress in achieving nuclear disarmament. Unfortunately, long after the end of the cold war, more than 20,000 nuclear weapons still exist, many on high-alert status and ready to use.

Approach of the Islamic Republic of Iran towards the Treaty on the Non-Proliferation of Nuclear Weapons

4. The Islamic Republic of Iran signed and ratified the Treaty in 1969 and 1970, respectively. In June 1973, in accordance with article III (1) of the Treaty, the Islamic Republic of Iran concluded a comprehensive safeguards agreement with the International Atomic Energy Agency (IAEA). The ratification of the Treaty before its entry into force and early conclusion of the safeguards agreement clearly demonstrate the long-standing support and commitment of the Islamic Republic of Iran as a non-nuclear-weapon State to this fundamental instrument.

5. In 1974, the Islamic Republic of Iran was the first country in the Middle East region to initiate the idea of establishing a nuclear-weapon-free zone, which was followed vigorously by subsequent resolutions of the General Assembly. In 2012, the Islamic Republic of Iran also officially declared its readiness to participate in a conference on the establishment of a nuclear-weapon-free zone in the Middle East.

6. The Islamic Republic of Iran has fulfilled its obligations under all the provisions of the Treaty with the aim of helping the integrity and universality of the Treaty regime and achieving its fundamental objectives. The policy of the Islamic Republic of Iran to renounce the nuclear option as a matter of principle and to place its peaceful nuclear facilities under IAEA full-scope safeguards is a clear manifestation of its commitment to the Treaty. The Islamic Republic of Iran considers the acquiring, the development and the use or threat of use of nuclear weapons to be inhuman, immoral, illegal and against its very basic principles. Nuclear weapons have no place in the defence doctrine of the Islamic Republic of Iran, because of our commitment to our obligations under the Treaty. Moreover, the Islamic Republic of Iran believes that nuclear weapons do not increase its security.

7. In the view of the Islamic Republic of Iran, all the provisions of the Treaty are of equal importance. Maintaining the balance of the rights and obligations enshrined in the Treaty preserves its integrity, enhances its credibility and encourages its universality and its full and non-discriminatory implementation. In this context, the Islamic Republic of Iran believes that the current selective, discriminatory and imbalanced approach towards the Treaty, reflected in particular in the decision of the Nuclear Suppliers Group on nuclear cooperation with non-parties to the Treaty, the instrumental use of the Security Council by some veto-holders and the adoption of the legally flawed Council resolutions, has seriously jeopardized the basis of the Treaty.

8. In accordance with the Final Document of the 2000 Review Conference, the nuclear-weapon States made an unequivocal undertaking to accomplish the total elimination of their nuclear arsenals. As agreed in the 2000 Review Conference and action plan on nuclear disarmament and adopted at the 2010 Review Conference, practical steps for the systematic and progressive implementation of article VI of the Treaty should be vigorously pursued by nuclear-weapon States. In this context, no action shall be made by nuclear-weapon States in contravention of those obligations. Regrettably, and despite the pledges on nuclear disarmament made by the current

Administration of the United States of America, a review of the existing United States nuclear policy shows a reverse trend. The continued emphasis by the United States Nuclear Posture Review on maintaining nuclear weapons and the obsolete deterrence policy; the plan to spend $700 billion on the modernization of the United States nuclear arsenal and construction of a new nuclear weapon production facility; no movement towards ratification of the Comprehensive Nuclear-Test-Ban Treaty; and the raising of new excuses for keeping nuclear weapons in the new Nuclear Posture Review, are clear indications of the continued policy of the United States to evade its obligation to eliminate its nuclear arsenal. Furthermore, the Trident project of the United Kingdom of Great Britain and Northern Ireland to build a new generation of nuclear-armed submarines and the announced policy of France to modernize all branches of its nuclear forces, including producing new nuclear-powered ballistic missile submarines, by spending more than €350 billion until 2020, are all flagrant violations of international law, namely, obligations under article VI of the Treaty and the 1995 decision on principles and objectives for nuclear disarmament and non-proliferation, as well as the commitments made by the nuclear-weapon States at the 2000 and 2010 Review Conferences.

9. Another negative development in the framework of joint research on nuclear warheads between two nuclear-weapon States, the United Kingdom and the United States, constitutes a serious case of non-compliance with article I of the Treaty. According to the data published on 9 February 2009, the United States military has been using an atomic weapons facility in the United Kingdom to carry out research into its own warhead programme. In this regard, the United States defence officials have declared that "very valuable" warhead research has been taking place at the Atomic Weapons Establishment in Aldermaston, United Kingdom, as part of an ongoing and secretive deal between the Governments of the United Kingdom and the United States. Such events clearly demonstrate the non-compliance of both countries and their reluctance in discharging their legal obligations under the Treaty provisions.

10. The States parties to the Treaty are also concerned about the efforts of some nuclear-weapon States to reinterpret article VI of the Treaty and to make their obligations conditional, including the statements by the representative of the United States to the First Committee of the General Assembly at its sixty-second session and that of the United Kingdom Secretary for Defence in February 2008 at the Conference on Disarmament. In response to such positions, it should be indicated that the International Court of Justice has provided an authoritative interpretation of article VI of the Treaty, holding that it requires the nuclear-weapon States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. Moreover, the unequivocal undertaking by the nuclear-weapon States to eliminate their nuclear arsenals, as reflected in the consensual Final Document of the 2000 Review Conference of the Treaty, has already clarified the meaning of article VI of the Treaty.

11. In addition, the United States has continuously refrained from giving a positive response to the repeated demand of the international community to start negotiations on a nuclear weapons convention. Instead, the United States is increasingly devoting billions of dollars to programmes of vertical proliferation of its nuclear arsenal. Furthermore, by continuing to deploy hundreds of nuclear weapons and global missile defence systems in other countries and training the air forces of those

countries to deliver nuclear weapons in the framework of military alliances, transferring nuclear technology and materials to non-parties to the Treaty whose nuclear facilities operate outside of IAEA full-scope safeguards monitoring, the United States is in non-compliance with article I of the Treaty, which stipulates that each nuclear-weapon State undertakes not to transfer nuclear weapons to any recipient whatsoever. Such actions also constitute non-compliance with article VI of the Treaty and the measures agreed to at the 1995, 2000 and 2010 Review Conferences.

12. It should be highlighted that, in accordance with step 5 of the 13 practical steps of the 2000 Review Conference and action 2 of the action plan on nuclear disarmament of the 2010 Review Conference, any reduction of nuclear weapons, whether strategic or non-strategic, should be made in an internationally verifiable and irreversible manner. Needless to say, a reduction in nuclear weapons can never be a substitute for the main obligation of nuclear-weapon States, namely, the total elimination of their nuclear weapons. Since there is no mechanism to internationally verify the unilateral, bilateral and multilateral declarations or agreements regarding the fulfilment of nuclear disarmament obligations, the Review Conference should establish a standing committee for monitoring and verifying the implementation of the commitments of the nuclear-weapon States under article VI of the Treaty.

Measures taken to implement article VI of the Treaty

13. The Islamic Republic of Iran continues to actively participate in international efforts to promote nuclear disarmament and non-proliferation. Initiatives taken towards this noble goal have always enjoyed our full support. In this regard, in 2013 the Islamic Republic of Iran introduced General Assembly resolution 68/35 on follow-up to nuclear disarmament obligations agreed to at the 1995, 2000 and 2010 Review Conferences of the Parties to the Treaty. By adopting this resolution, the Assembly, inter alia, called for all the nuclear-weapon States to take the following practical steps, which would lead to nuclear disarmament:

(a) Further efforts to be made by the nuclear-weapon States to reduce their nuclear arsenals unilaterally;

(b) Increased transparency by the nuclear-weapon States with regard to nuclear weapons capabilities and the implementation of agreements pursuant to article VI of the Treaty and as a voluntary confidence-building measure to support further progress in nuclear disarmament;

(c) The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

(d) Concrete agreed measures to reduce further the operational status of nuclear weapons systems;

(e) A diminishing role for nuclear weapons in security policies so as to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

(f) The engagement, as soon as appropriate, of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.

14. During the sixty-eighth session of the General Assembly, and based on its principled position, the Islamic Republic of Iran voted in favour of the resolutions promoting nuclear disarmament and non-proliferation of nuclear weapons.

15. In order to promote the cause of nuclear disarmament and non-proliferation, the Islamic Republic of Iran has held two international conferences on nuclear disarmament and non-proliferation, which took place in Tehran on 17 and 18 April 2010 and 12 and 13 June 2011, at which the current challenges to the implementation of nuclear disarmament commitments were examined and mechanisms to realize the lofty goal of a nuclear-weapon-free world were sought.

16. Along with the other members of the Non-Aligned Movement, the Islamic Republic of Iran has in various forums, including the International Court of Justice, made its position clear that the use or threat of use of nuclear weapons is contrary to international law, in particular international humanitarian law, and is therefore inhuman, immoral and illegal. The Islamic Republic of Iran has continuously supported the resolution adopted annually since 1999, on follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons. In this context, the Islamic Republic of Iran has participated in the conferences on the humanitarian impacts of nuclear weapons, held in 2013 in Oslo and in 2014 in Nayarit, Mexico, respectively.

17. In pursuance of its long-standing principled position in support of nuclear disarmament, the President of the Islamic Republic of Iran, Hassan Rouhani, participated in the first ever high-level meeting of the General Assembly on nuclear disarmament, on 26 September 2013, and presented, on behalf of the 120 States members of the Non-Aligned Movement, a three-point proposal on nuclear disarmament. The proposal was supported by many of the representatives of political and geographical groups, Member States and civil society participating in that meeting and was subsequently adopted by the General Assembly in its resolution 68/32 on follow-up to the 2013 high-level meeting of the Assembly on nuclear disarmament. Through that resolution, the Assembly:

(a) Called for the urgent commencement of negotiations in the Conference on Disarmament for the early conclusion of a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use and to provide for their destruction;

(b) Decided to convene, no later than 2018, a United Nations high-level international conference on nuclear disarmament to review the progress made in that regard;

(c) Declared 26 September as the International Day for the Total Elimination of Nuclear Weapons devoted to furthering that objective, including through enhancing public awareness and education about the threat posed to humanity by nuclear weapons and the necessity for their total elimination, in order to mobilize international efforts towards achieving the common goal of a nuclear-weapon-free world.

18. The Islamic Republic of Iran fully supports the early establishment of an ad hoc committee on nuclear disarmament as soon as possible and as the highest priority, in the Conference on Disarmament, to start negotiations on a phased programme for the complete elimination of nuclear weapons within a specified framework of time, in the context of a comprehensive nuclear weapons convention.

Negotiations on a comprehensive nuclear weapons convention must lead to the legal prohibition, once and for all, of the possession, the development, the testing, the stockpiling and the use or threat of use of nuclear weapons by any country and under all circumstances and provide for the total destruction of such inhuman weapons. Until the conclusion of a comprehensive nuclear weapons convention, the nuclear-weapon States must fulfil their obligations under the Treaty and refrain, in particular, from:

(a) Any kind of development and research on nuclear weapons;

(b) Any threat to use nuclear weapons against non-nuclear-weapon States;

(c) Any modernization of nuclear weapons and their facilities;

(d) Deployment of nuclear weapons in the territories of other countries;

(e) Maintaining their nuclear weapons in the trigger-alert situation.

19. Owing to the significant role that the establishment of nuclear-weapon-free zones plays in achieving a world entirely free from nuclear weapons, in 1974 the Islamic Republic of Iran presented the idea of establishing a nuclear-weapon-free zone in the Middle East and submitted a resolution on the subject to the General Assembly. Since 1982, the resolution has been adopted annually by consensus in the Assembly. However, the Zionist regime, through its persistent rejection of accession to the Treaty on the Non-Proliferation of Nuclear Weapons, remains the main and only obstacle to the establishment of such a zone.